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Attorneys for Defendants
UTSTARCOM, INC., HONG LIANG LU,
YING WU, MICHAEL SOPHIE, THOMAS TOY,
and FRANCIS BARTON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PETER RUDOLPH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

UTSTARCOM, HONG LIANG LU, YING WU,
MICHAEL SOPHIE, THOMAS TOY, and
FRANCIS BARTON,

Defendants.

CASE NO.: C-07-4578 SI

**DECLARATION OF BRYAN J.
KETROSER IN SUPPORT OF
MOTION TO DISMISS
PLAINTIFF'S AMENDED CLASS
ACTION COMPLAINT**

Date: April 4, 2008

Time: 9:00 p.m.

Before: Hon. Susan Illston

1 I, Bryan J. Ketrosier, declare as follows:

2 I am an attorney duly licensed to practice law in the State of California and before this
3 Court. I am associated with the law firm of Wilson Sonsini Goodrich & Rosati, Professional
4 Corporation, counsel for Defendants in the above-entitled action. I respectfully submit this
5 declaration in support of Defendants' Motion to Dismiss Plaintiff's Amended Class Action
6 Complaint and the accompanying Request for Judicial Notice. I have personal knowledge of the
7 facts stated herein and, if called as a witness, I could and would testify competently thereto.

8 1. Attached hereto as Exhibit A is a true and correct copy of UTStarcom's ("UTSI"
9 or the "Company") press release entitled "UTStarcom Announces Voluntary Review of Equity
10 Grants," dated November 7, 2006.

11 2. Attached hereto as Exhibit B is a true and correct copy of a *Forbes.com* article
12 entitled "Options Probe Derails UTStarcom Stock," dated November 8, 2006.

13 3. Attached hereto as Exhibit C is a true and correct copy of UTSI's stock prices
14 from September 4, 2002 through July 24, 2007.

15 4. Attached hereto as Exhibit D is a true and correct copy of UTSI's press release
16 entitled "UTStarcom Provides Select Preliminary Balance Sheet Liquidity Information as of June
17 30, 2007," dated July 24, 2007.

18 5. Attached hereto as Exhibit E is a true and correct copy of excerpts from UTSI's
19 Form 10-Q for the fiscal quarter ended December 31, 2006, filed with the SEC on October 10,
20 2007.

21 6. Attached hereto as Exhibit F is a true and correct copy of excerpts from UTSI's
22 Form S-3/A filed with the SEC on June 21, 2001.

23 7. Attached hereto as Exhibit G is a true and correct copy of excerpts from UTSI's
24 Forms DEF 14A and DEFA 14A filed with the SEC on April 2, 2003, August 22, 2003, April 7,
25 2004, April 18, 2005, June 16, 2006, and June 21, 2006.

1 I declare under the penalty of perjury that the foregoing is true and correct. Executed this
2 29th day of February, 2008, in San Francisco, California.

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4 /s/Bryan J. Ketros
Bryan J. Ketros

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